

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GRANITE RANCH OPPORTUNITIES
LLC,

Plaintiff,

v.

RACHELLE MORGAN-LEWIS,

Defendant.

Case No. [14-cv-00476-JST](#)

**ORDER ADOPTING REPORT AND
RECOMMENDATION AND
REMANDING ACTION**

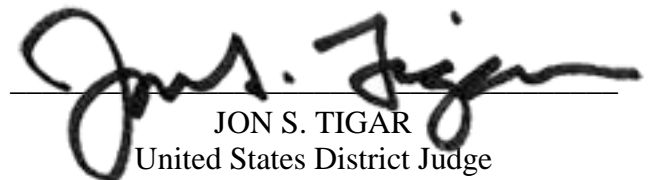
Re: ECF No. 6

In this removed action for unlawful detainer, Magistrate Judge Grewal issued a report and recommendation prior to the reassignment of the action to this Court. ECF No. 6. Judge Grewal found that the court lacks subject matter jurisdiction. First, federal-question jurisdiction does not exist because Granite Ranch brings a single unlawful detainer claim, which is predicated on state law. Second, diversity of citizenship is absent because both parties are citizens of California.¹

The period for filing objections to this report and recommendation has ended, and no party has filed objections. Because the report and recommendation is thorough and well-reasoned, the Court adopts it in every respect. Accordingly, this action is REMANDED to Monterey County Superior Court. The Clerk shall mail a copy of this order to the clerk of the Superior Court and terminate this action.

IT IS SO ORDERED.

Dated: April 2, 2014


JON S. TIGAR
United States District Judge

¹ Removal was based on diversity of citizenship. ECF No. 1. Though Judge Grewal's report and recommendation does not address this issue, Morgan Lewis' California citizenship is a sufficient ground for remanding the action. See 28 U.S.C. § 1441 (providing that a citizen of the state in which the action is brought cannot remove the action on the basis of diversity jurisdiction).